

UNITED STATES BANKRUPTCY COURT District of New Jersey
Caption in Compliance with D.N.J. LBR 9004-1(b)  Albert Russo Cn 4853 Trenton, NJ 08650 (609) 587-6888
In re:  Joseph Battaglio Jr  Debtor(s)



Order Filed on April 11, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 13-12081 / CMG

Hearing Date: 03/15/2017

Judge: Christine M. Gravelle

Chapter: 13

### ORDER CONFIRMING MODIFIED CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

**DATED: April 11, 2017**

  
Honorable Christine M. Gravelle  
United States Bankruptcy Judge

The modified plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such modified plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

**ORDERED** that the modified plan of the above named debtor, dated 11/02/2016, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

**ORDERED** that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

**ORDERED** that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$16,488.00 PAID TO DATE

\$463.00 for 11 months beginning 4/1/2017

The balance of the plan shall be paid by the debtor(s) from non-exempt proceeds from the sale or refinance of HENSONVILLE, NEW YORK by 9/1/2017

**ORDERED** that the case is confirmed to pay 100% dividend to general unsecured creditors.

**ORDERED** that the Standing Trustee shall be authorized to submit, ex-parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

**ORDERED** that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

**ORDERED** that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

**ORDERED** that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

**ORDERED** that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

**ORDERED** that the debtor(s) is to complete a sale or refinance of property located at NY PROPERTY by 9/1/2017, and any non-exempt proceeds of said sale or refinance shall be paid to the Trustee for the benefit of creditors.

**ORDERED** that creditor GREENE COUNTY TREASURER, PACER claim #15-1, received stay relief on 10/7/2015 on property located at 344 STATE ROUTE 296, HENSONVILLE, NY.; no arrears are to be paid through the Chapter 13 Plan; creditor will be paid outside of the Chapter 13 Plan.

In re:  
Joseph Battaglio, Jr.  
Debtor

Case No. 13-12081-CMG  
Chapter 13

### CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Apr 11, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on  
Apr 13, 2017.

db Joseph Battaglio, Jr., 523 Eisenhower Dr., Point Pleasant, NJ 08742-5410

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 13, 2017

Signature: /s/Joseph Speetjens

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 11, 2017 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com  
Albert Russo docs@russotrustee.com  
Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com  
Conika Majumdar on behalf of Creditor JPMORGAN CHASE BANK, N.A. conika.majumdar@fnf.com  
Denise E. Carlon on behalf of Creditor U.S. Bank National Association, as Trustee, successor  
in interest to Wachovia Bank, N.A., as Trustee for Chase Funding Mortgage Loan Asset-Backed  
Certificates, Series 2003-6 bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.com  
Joel A. Ackerman on behalf of Creditor U.S. Bank National Association, as Trustee, successor  
in interest to Wachovia Bank, N.A., as Trustee for Chase Funding Mortgage Loan Asset-Backed  
Certificates, Series 2003-6 jackerman@zuckergoldberg.com  
Lynn Therese Nolan on behalf of Creditor Greene County Treasurer Office  
LNolan@schillerknapp.com,  
tshariff@ecf.courtdrive.com;tshariff@schillerknapp.com;kcollins@schillerknapp.com  
R. A. Lebron on behalf of Creditor JPMORGAN CHASE BANK, N.A. bankruptcy@feinsuch.com  
William H. Oliver, Jr. on behalf of Debtor Joseph Battaglio, Jr. bkwoliver@aol.com  
TOTAL: 9